FOR MYSORE STATE

Rev (1954) Department

Ms SERIES.

G.O. No. 693

Dated 24·3·54

[Despatch Abstract.]

P. Lingaya Gouda Sri B - formerly Tic. Hd
Asst - Channapur - Grant of leave on
half pay - Conversion into leave on average
pay - Memorial Governor - rejected

162680A/61253

REVENUE DEPARTMENT.

Subject:-

Padmaya Gowda Sri (B) - Formerly Taluk Head Accountant - Coondapur - Grant of Leave on Half Pay - Conversion into Leave on Average Pay - Memorial to Governor - Submitted.

Read...dras. No.G/1385/53-1 Dated 18-12-53.

Sri.R.S.Sattianathan, I.C.S., Commissioner of Land Revenue.
Sri.C.S.Krishna Moorthi, I.A.S., Secretary, Board of Revenue.

...rom the Collector, South Kanara, Ref.C.No.A1.23684/53-1 dated 26-11-53.
Memorial dated 21-9-53 from Sri.B.Padmaya Gowda.

REFERENCE:--

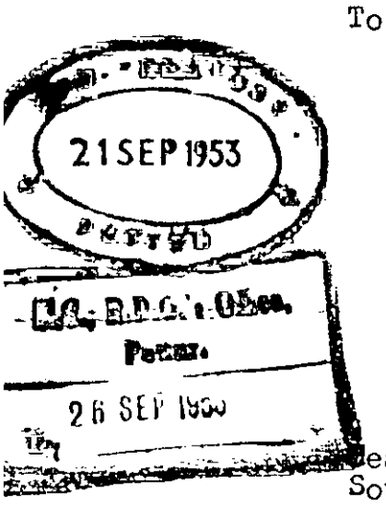
Submitted to the Government.

2. The Board agrees with the Collector that there are no new grounds in the memorial. It has therefore no remarks to offer.

For SECRETARY.

To
The Secretary to Government, Revenue Department (With enclosures and Collector's records:--1. L.Dis.22158/51 2. L.Dis.24858/51 3. L.Dis.5364/52 4. L.Dis.17224/52 5. D.Dis.19037/52 6. L.Dis.-22049/52.

CSR/22-12



To

His Excellency,

The Governor of Madras State,

MADRAS

Through the Proper Channel.

Humble memorial from B. Padmaya Gowda, Head Accountant, Taluk Office Puttur, Puttur P.O., South Kanara District.

LDis 60303/53.

Dated. 21st September 1953

Submitted through the Revenue Divisional Officer, Puttur

21/9/53

Asstt. to R.D.O.

(A)

Most respectfully sheweth,

The Memorialist being highly aggrieved by G.O.Ms.No.2079 Revenue dated 18-7-1953 (enclosed) begs for leave to submit the following facts for the consideration of His Excellency in the hope that his just grievance would be redressed.

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21.9.53

8675

B
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2. He is a permanent Taluk Head Accountant now working in the Taluk Office, Puttur. He is due to retire from service from 3-2-1954.

23684/53

9/10/53 (A) F

3. For reasons of health he was on leave for eight months from 8-11-1951 to 7-7-1952. He joined duty as he was declared medically fit by the medical practitioner (Dr. U.L. Narayana Rao. M.B.B.S) under whose treatment he was during the period of his leave. He accordingly joined duty at the new station on 10-7-1952 after producing the medical certificate, granted by the same Doctor who had treated him and who had a clear idea of his ailment.

4. The memorialist had to perform a journey by Bus to the new station to which he was posted

posted expeditiously, as he had no joining time after the receipt of the order of posting. Perhaps the strain of the Bus journey, want of homely comforts at the new station, the change in his usual diet, and the strain of heavy work in the office all at once after having been on leave for 8 months must have combined to make him sick once again and he had to resort to treatment. The Doctor who treated him at the new station, advised the memorialist to take rest and treatment.

5. After having put in a period of duty of 18 days at the new station the memorialist was relieved of his duties on the basis of the medical certificate granted by the medical practitioner at the new station Dr. H. Venkatramanaya B.A.M.B.B.S. But the memorialist was asked to appear before the District Medical Officer, Mangalore who, after examining the memorialist recommended the grant of leave for 4 months as against two months recommended by the private medical practitioner.

6. The memorialist had ample leave to his credit both on average pay as well as on average pay on medical certificate. Such being the case the Collector's order granting the leave as on half average pay by treating it as one in continuation of the leave previously granted is a matter that has hit the memorialist hard, especially when there was a clear interval of 18 days duty between the 8 months leave previously granted and the leave granted after the memorialist worked for 18 days.

7. Under the circumstances, the Collector was not justified in applying G.O.No.406-Finance dated 21-7-1932 as the G.O. was not applicable to his case at all as will be clear from the penultimate and last sentences of para 2 of the G.O. that leave could be granted within 3 months from return after leave provided sufficient reasons are shown in order to see that the spirit of the leave rules are complied with.

8. The memorialist ventures to point out that if in spite of the circumstances of the case of the memorialist as set forth above and more explicitly stated in his petitions to the Board and the Government are not considered sufficient to see that the spirit of the leave rules are complied with or not the memorialist feels at a loss to know what other reasons there could be, except to think that his just grievance has not met with adequate consideration at the hands of the Board of Revenue or the Secretary to Government.

9. The memorialist again begs to make it clear that during the service of 30 years put in by him in the department he was never in the habit of shirking his work or taking undue advantage of the leave rules by going on leave frequently. As such he feels very much aggrieved by the treatment meted out to him when he was forced to go on leave on account of illhealth over which he had no control, and that he should be penalised for it by the application of an old G.O. which has no bearing at all to the case of the memorialist.

10. The memorialist is on duty from 25-11-1952 till now ever since he rejoined duty after the expiry of his leave. He is to retire from service on 3-2-1954 forfeiting all the earned leave that is at his credit. He has therefore already applied for leave from 3-10-1953, preparatory to retirement. But his only aim in submitting this memorial is only just a cry before the Highest authority to whom a Government servant is permitted to approach to see that his just grievance is redressed.

11. Prays therefore, that the 4 months leave on medical certificate granted to him on half average pay in Collector's order D. Dis 14037/52 dated 14.8.52 ~~L. Dis.5364/52 dated 24-3-1952~~ may be ordered to be treated as on average pay. For which act of justice and fairplay the memorialist shall remain ever grateful.

SOUTH KANARA
COLLECTOR'S OFFICE
12 OCT 1953
No.

24.9.53
MEMORIALIST

ND:1. 8675/53
7/X

Submitted to the Collector of South Kanara

Asst. Divl. Officer
7/X.
7/X

Ward.

Please see DR - 7.1.54

Rev No 102680 A/53-1 dt 7.1.54

Pattayya Gowda Sri B. Formerly THA, Coorg Spr. - Granting Rane on half pay. Conversion into Rane on average pay. Memorial to Governor.

From the RS of Kan, Rly No G. 1385/53 dt 18.12.53

~~The RS of Kan is requested to send a copy of the~~ Letter No A2 23684/53-1 dt 26.11.53 of the Collector of South Kanara ~~as~~ has been addressed direct to RS's office and has not been received. The ~~along with the RS's report~~ RS is requested to send a copy if urgent. ~~The RS is requested to observe. It is~~ also requested to send the

personal file of the memorialist for reference and return.

1.1.54

7.1.54

To [illegible] 8.1.54.

4 / 6824 Rs / 1/2/54 ¶

REVENUE DEPARTMENT
Subject.
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PADMAYA GOWDA (SRI) B. - Formerly Taluk Head Accountant, Coondapur - Grant of leave on half-pay - Conversion into leave on average pay - Memorial to Governor.

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Copy of letter Ref.C.No.Al.23684/53-1 d/26-11-1953 of the Collector South Kanara Dt. to the Secretary, Board of Revenue, Madras-5.

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Sub: PADMAYA GOWDA (SRI) B. - Formerly Taluk Head Accountant, Coondapur - Grant of L.H.P. - Conversion into L.A.P. - Memorial to Governor - submitted.

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Ref: Memorial dated 21-9-53 from Sri B.Padmaya Gowda.

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I enclose the memorial cited addressed to the Governor by Sri B.Padmaya Gowda, Taluk Head Accountant, Puttur together with the following records of my office:-

1) L.Dis.22158/51; (2) L.Dis.24858/51; (3)L.Dis.5364/52; 4) L.Dis.17224/52; (5) D.Dis.19037/52 and (6) L.Dis.22049/52.

2. As the memorial is against the orders in G.O. Ms.2079, Revenue, dated 18-7-'53 and there are no new points in the memorial, I have no remarks to offer.

3. The memorialist is now on L.A.P. for 4 months preparatory to retirement.

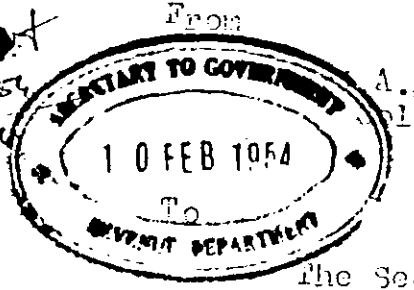
/true copy/

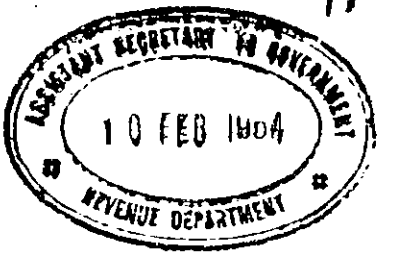
FOR SECRETARY.

C.S.

Ref.A1. 23684/53

S.Kanara Collector's office,
Mangalore dated 8.2.1954





From

A.Mahalingam Chettiar, I.A.S.,
Collector of South Kanara,
Mangalore.

To

The Secretary to Government,
Revenue Department, Madras.9

Sir,

PADMAYA GOWDA(Sri). Formerly T.H.A. Coondapur-Grant of leave on half pay-conversion into leave on average pay-memorial to Governor-

Ref: Board's Rc. G.1385/53.2 d/ 27.1.1954.

The personal file of Sri B.Padmaya Gowda is submitted herewith in a sealed cover as instructed in the Board's reference cited above.

Yours faithfully,

For Collector.

Encl: one sealed cover.

Revs 3

1026808/53

Pl inve
SB
23.3.54

Read:

pp 2 CF — From Sir B. Padmaya Gowda, Memorial to the Governor dated 21.9.53

p10 CF — From the Coll of South Kanara Rg. C. No. A1 23684/53-1 dy 28.11.53

b1 CF — From the Bd of Rev Rg. no. G1/1385/53-1 dy 18.12.53.

G.O. Ms. No. 693 dy 24.3.54.

- The Governor declines to interfere on behalf of the memorialist. The memorial is rejected.

Ord (W.O.)
23/3/54.

Sir B. Padmaya Gowda
thro the Coll of S. Kanara

SB
22.3.54

23.3.54

Le Coll of S. Kanara (with p.b. cf rcts)

22.3.54

Bd of Rev (IR) (with records as per list at 'A' on p1 CF and a P.F. in sealed cover)

Copy sent 25/9/54.

C.No.102680 A/53.

20,002—8-5-53.

ORDER PAPER.

Revenue Department.

Subject. Padmaya Gowda Sri B - Formerly Taluk Head Accountant Coondapur - Grant of leave on half pay - Conversion into leave on average pay - Memorial to Governor.

The memorial does not contain any new grounds which were not already considered by the Government. It does not therefore deserve any consideration and may be rejected.

Recommendations of Circulating Officer.

15.3.54
D.S.Rev.

Orders of Ministers.

(1) M(R) M.A. Manickavasagam 18.3.54

(2) C.M. Subramaniam 19.3.54

(3)

(4)

(5)

(6)

(7)

(8)

(9)

(10)

If orders passed in the Cabinet, Decision of Cabinet.

C. NO. 102680 A/53

Padmaya Gowda Sri B. - Formerly T. H. A. Coondapur - Grant of leave on half pay - conversion into leave on average pay - Memorial to Governor. - From the Bd of Rev Rej. NO. G/1385/53-1 dj 18/12/53

To As . . . .

Please see the Bd's reflex and its enclosures in the CF. . .

2) The memorial on pp 2-5 CF is addressed to the Governor. ~~It is reflex to the instructions in Pub (Ser) U.O. note no. 2700/51-1 dj 25.7.51. the file is submitted with a routine note~~ Attention is invited to Secretariat Instruction No. 91 and Pub (Ser) U.O. note No. 2700/51-1 dated 25.7.51.

SR 27.2.54

S. 1.3.54

Rachaya 2/3/54 DS

Type the note ... Please S 4.3.54

pp 62-63 of the Bk
pp 71-72 ibid
pp removed

The following note is submitted with reference to the Secretariat Instruction 91, Appendix III to the Business Rules and Secretariat Instructions and Public (Ser) U.O.Note No.2700/51-1 dated 25-7-51:-

(1) The Memorial on pp.2-5 c.f. has been submitted through the Collector of South Kanara and the Board of Revenue.

p 10 CF
p 1 CF
Order passed on appeal p 1 CF on 18.7.53 Communicated on 21.8.53
memorial dj 21.9.53
Recd by Collr 12.10.53 note/seal on p 5 CF

(2) The Memorial has been submitted within six months from the date on which the order of the Govt. on a petition presented to them was communicated to him.

(3) The memorial does not relate to a matter which has already been disposed of by the Governor.

(4) Facts of the case:

pp 2-5 CF

The memorial of Sri B.Padmaya Gowda to the Governor is against the orders of the Govt. in their order Ms.No.2079 Rev. dated 18-7-53

p 12 CF / (A)

ejecting his petition against the Collector's orders granting him leave on half average pay instead of leave on average pay. The history of the case is as follows. The memorialist was granted at first leave on average pay for 4 months from 8-11-51 to 7-3-52 on grounds of ill-health. He was granted extension of leave on average pay on medical certificate for 4 months from 8-3-52 to 7-7-52. On the expiry of leave he produced a fitness certificate dated 6-7-52 and joined duty as Taluk Head Accountant Coondapur on 10-7-52. On 18-7-52, he again applied for leave for two months producing a medical certificate dated 17-7-52 and entered on leave with effect from 26-7-52. He was directed to appear before the Dt. Medical Officer who recommended leave for 4 months. The Collector while granting him leave for 4 months as recommended by the Dt. Medical Officer, directed that the leave should be in continuation of the 8 months leave previously availed of by him and that it should with reference to G.O.Press No.406 Fin dated 21-7-32 be treated as leave on half average pay. The memorialist preferred an appeal to the Board of Revenue against the Collector's orders. The Board obtained the opinion of the Director of Medical Services who advised that the entire period of absence should be treated as one spell of leave. The Board therefore declined to interfere with the Collector's orders. The memorialist sent a petition to the Govt. against the Board's orders. The Govt. considered all his contentions but saw no grounds to interfere. They accordingly rejected the petition.

In his memorial to the Governor he has requested that the above orders may be reconsidered and that the leave on half average pay granted on medical certificate by the Collector be treated as leave on average pay. The memorial does not contain any new grounds which were not already considered by the Govt. The memorial does not therefore deserve

p 19 CF/(F)

p 3 CF (B)

pp 7-8 CF/(V)

p 9 CF/(F)
para 2 p 1 CF/(E)
pp 1-2 CF/(F)
pp 3-4 CF/(F)
p 11 CF/(F)
pp 13-14 CF/(F)
p 19 CF ibid

p 19/(Z)

p 15 CF/(E)

p 17 CF ibid

p 3-5 CF/(A)

p 12 CF/(A)
pp 2-5 CF

1B

CR

ny consideration and may be rejected. The personal ile of the memorialist is put up in a sealed cover. Finance may see before circulation.

personal file returned in section 15.3.54

6.3.54

Rev no 102680 A/53-2
4.3.54

Fin (C.R)

Finance may concur with the views of Revenue at B on pp 2-3 above.

6/3/54

6.3.54

Fin. U.O. 17624/CR.Rev
6.3.54

Rev

Rev Deptt

Please see the notes from p 1 onl. file may now be circulated to M(R), and C.M. for orders on 'B' on pp 2-3 above.

15.3.54

18.3.54 M(R) / M(FE)

19.3.54

SECRETARY TO GOVERNMENT
8 - MAR 1954
REVENUE DEPARTMENT

16135A
8.3.54.

* Since C.M is proposed I take it that M(F&E) will finalise

17624 15.3.54

SR 9.3.54
13.3.54

DEPUTY SECRETARY TO GOVERNMENT
6-MAR 1954
FINANCE DEPARTMENT

SECTIONAL ASST. SECRETARY TO GOVT.
7-MAR 1954

15.3.54 16/3

SECRETARY TO GOVERNMENT
19 MAR 1954
REVENUE DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
1 MAR 1954
REVENUE DEPARTMENT

To AS

Please see the orders in circulation in the order paper below.

2/ A draft order is submitted for approval.

22.3.84

22.3.84